

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

RUTH DETTMAN : CIVIL ACTION
 :
 v. :
 :
 CIGNA GROUP INSURANCE, LIFE INSURANCE :
 COMPANY OF NORTH AMERICA, STATE FARM :
 INSURANCE COMPANY, KENNETH O'BRIEN, and :
 STEPHANIE BASS : NO. 98-4838

MEMORANDUM AND ORDER

HUTTON, J.

April 15, 1999

Presently before the Court are Defendant State Farm Insurance Company's Motion to Dismiss (Docket No. 12). For the reasons stated below, the Defendant's motion is **DENIED**.

I. BACKGROUND

The Plaintiff, Ruth Dettman, alleges the following facts in her complaint. The State Farm Group Long Term Disability Policy ("LTD Plan") is an Employee Benefit Plan as that term is defined in the Employee Retirement Income Security Act of 1974 (ERISA). The LTD Plan provides for the payment of benefits to eligible employees who cannot work in any "substantial gainful occupation" for which the employee may reasonably become qualified based on his or her education, training, or experience. Defendant State Farm Insurance Company ("State Farm") is the LTD Plan's Administrator as that term is defined under ERISA.

Defendant Life Insurance Company of North America ("LINA") issued the LTD Plan to State Farm. The LTD Plan is administered pursuant to a State Farm Employee Manual. The State Farm Employee Manual designates the State Farm as Plan Administrator as that term is defined in ERISA.

In the instant action, the Plaintiff alleges that her long term disability benefits pursuant to the LTD Plan were wrongly terminated. On March 15, 1999, the Defendant State Farm filed a motion to dismiss. The Plaintiff failed to respond to this motion.

II. STANDARD

Federal Rule of Civil Procedure 8(a) requires that a plaintiff's complaint set forth "a short and plain statement of the claim showing that the pleader is entitled to relief." Fed. R. Civ. P. 8(a)(2). Accordingly, the plaintiff does not have to "set out in detail the facts upon which he bases his claim." Conley v. Gibson, 355 U.S. 41, 47 (1957). In other words, the plaintiff need only to "give the defendant fair notice of what the plaintiff's claim is and the grounds upon which it rests." Id.

When considering a motion to dismiss a complaint for failure to state a claim under Federal Rule of Civil Procedure 12(b)(6),¹ this Court must "accept as true the facts alleged in the

¹ Rule 12(b)(6) states as follows:

Every defense, in law or fact, to a claim for relief in any pleading . . . shall be asserted in the responsive

(continued...)

complaint and all reasonable inferences that can be drawn from them." Markowitz v. Northeast Land Co., 906 F.2d 100, 103 (3d Cir. 1990). The Court will only dismiss the complaint if "'it is clear that no relief could be granted under any set of facts that could be proved consistent with the allegations.'" H.J. Inc. v. Northwestern Bell Tel. Co., 492 U.S. 229, 249-50 (1989) (quoting Hishon v. King & Spalding, 467 U.S. 69, 73 (1984)).

III. DISCUSSION

The only argument set forth in the motion to dismiss is that the Court should dismiss State Farm as a defendant because it delegated its fiduciary responsibilities to LINA under the LTD Plan. State Farm claims that ERISA permits a fiduciary to delegate its fiduciary responsibilities and it did so. Thus, according to State Farm, it "cannot be found liable for any alleged breaches of fiduciary duty in this case because it has no fiduciary responsibility for claims administration and appeals." Def.'s Mot. to Dismiss at 6.

The Court cannot conclude that State Farm delegated all of its fiduciary responsibilities under the LTD Plan at the motion to dismiss stage. While State Farm may have indeed delegated these

¹(...continued)
pleading thereto if one is required, except that the following defenses may at the option of the pleader be made by motion: . . . (6) failure to state a claim upon which relief can be granted

Fed. R. Civ. P. 12(b)(6).

responsibilities to LINA, the Plaintiff alleges in her complaint-- and this Court must accept-- that State Farm is the Plan Administrator under ERISA. Indeed, the State Farm Employee Manual also designates State Farm as the Plan Administrator. Furthermore, while State Farm asks this Court to convert the motion into one for summary judgment in order to consider matters outside the complaint, the Court finds that it would be improper to do so at this early stage of the litigation. Accordingly, the Court denies the Defendant's motion.

An appropriate Order follows.

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v.	:	
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COMPANY OF NORTH AMERICA, STATE FARM	:	
INSURANCE COMPANY, KENNETH O'BRIEN, and	:	
STEPHANIE BASS	:	NO. 98-4838

O R D E R

AND NOW, this 15th day of April, 1999, upon consideration of the Defendant State Farm Insurance Company's Motion to Dismiss (Docket No. 12), IT IS HEREBY ORDERED that the Defendant's motion is **DENIED**.

BY THE COURT:

HERBERT J. HUTTON, J.